

2013 DRAFTING REQUEST

Bill

Received: **9/17/2012** Received By: **rkite**
Wanted: **As time permits** Same as LRB:
For: **André Jacque (608) 266-9870** By/Representing: **Michael Murphy**
May Contact: Drafter: **eshea**
Subject: **Nat. Res. - fish and game** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Rep.Jacque@legis.wisconsin.gov**
Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

authorizing the hunting of woodchucks under a small game license

Instructions:

Remove woodchuck from protected status and authorize hunting under small game license

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|---------------------|----------------------|-----------------------|----------------|----------------------|-----------------|-----------------|
| /? | eshea 10/3/2012 | | | _____ | | | |
| /1 | eshea 12/19/2012 | scalvin 10/3/2012 | rschluet 10/3/2012 | _____ | lparisi 10/3/2012 | | |
| /2 | eshea 1/3/2013 | scalvin 1/3/2013 | rschluet 1/3/2013 | _____ | sbasford 1/3/2013 | | |
| /3 | | scalvin | rschluet | _____ | srose | lparisi | |

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| | | 1/3/2013 | 1/3/2013 | _____ | 1/3/2013 | 3/7/2013 | |

FE Sent For:

→ Not
Needed

<END>

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| /1 | | scalvin 10/3/2012 | 10/3/2012 | | lparisi 10/3/2012 | | |
| FE Sent For: | 1/2 12/27/12 Sue | | | | | | |

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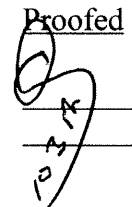
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|--------------|----------------|-----------------|-----------------|---|------------------|-----------------|-----------------|
| 1/? | eshea | 11 sac 10/02/12 | 11 sac 10/02/12 |  | | | |

FE Sent For:

<END>

Gibson-Glass, Mary

From: Letzing, Rachel
Sent: Friday, July 27, 2012 12:15 PM
To: Kite, Robin; Gibson-Glass, Mary
Subject: FW: Drafting Request - Rep. Jacques

Hi Robin and Mary, I'm passing along the following request after telling Michael I would contact the LRB for him. Could you follow up with Michael directly? Thanks!

Rachel

From: Murphy, Michael
Sent: Friday, July 27, 2012 8:45 AM
To: Letzing, Rachel
Subject: Drafting Request - Rep. Jacques

Hello Rachel,

I wasn't sure whether to send this request to you or to Mary Matthias (as she works with animal issues). Could you draft a bill that enacts this following (in red)?

Thanks!

MICHAEL P. MURPHY

OFFICE OF STATE REPRESENTATIVE

André Jacques

2ND ASSEMBLY DISTRICT
P.O. Box 8953 • Madison, WI 53708-8952
(608) 266-9870 • Fax: (608) 282-3602
Toll-Free: (888) 534-0002
Rep.Jacque@legis.wi.gov

360108 Reclassification of Woodchucks Approved as amended

Dan Cichantek, author of the resolution, spoke in support of the resolution. He is in the pest control business and states that it can be difficult to get the appropriate permission to remove nuisance woodchucks for landowners. Mr. Cichantek's original resolution called for the woodchuck to be listed as an unprotected species. The committee felt that this was not appropriate and suggested listing the woodchuck as a game animal. This would give the DNR more leeway in regulating harvest and rules. Mr. Cichantek agreed and amended the pertinent portion of his resolution to read:

Be it resolved... recommends that the Department of Natural Resources take action to remove the woodchuck from protected status and list it as a game animal.

Motion to approve as amended by author by Ferris, seconded by Jacowski. Passed 11 – 1

QUESTION 69 – Remove Woodchucks from the List of Protected Species

Woodchucks are currently listed as a protected species in the State of Wisconsin. However, there is no biological or resource management related evidence that supports the listing of woodchucks as a protected

species. The designation of "protected" means that a person may not take, attempt to take, transport or possess a woodchuck with a few exceptions. This designation is typically reserved for species in need of protection for social or biological reasons. Some other species currently listed as protected include lynx, badgers, moose, albino deer and birds of prey.

Currently, there is an exemption in state statute that allows landowners in Wisconsin, without a small game license and subject to all other restrictions except seasons, to hunt or trap on their property for woodchucks year-round. Landowners are also allowed to give others permission to hunt or trap woodchucks that are causing damage.

Removing woodchucks from the list of protected species would still allow landowners to hunt or trap woodchucks without a license on their property, but it would also allow non-landowners to hunt or trap woodchucks under the authority of a small game license.

Would you support removing woodchucks from the list of protected species?

69. Yes _____ No _____



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-008671

EHS:j:...

Sac

RMR

in 10/2/12

D-N

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *gen cat*; relating to: requiring an open season for woodchucks.

Analysis by the Legislative Reference Bureau

The Department of Natural Resources DNR currently, by rule, prohibits hunting and trapping woodchucks without DNR's authorization by designating the woodchuck as a "protected wild animal."

Under this bill, a woodchuck is defined as a "game animal" and as a "fur-bearing animal." Also under this bill, DNR is required to establish an open season for woodchucks. As a result, a person may hunt woodchucks under the authority of a small game hunting license and trap woodchucks under a trapping license.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 29.001 (30) of the statutes is amended to read:

3 29.001 (30) "Fur-bearing animals" includes *an* otter, beaver, mink, muskrat,
4 woodchuck, marten, fisher, skunk, raccoon, fox, weasel, opossum, badger, wolf,
5 coyote, bobcat, cougar, and lynx.

History: 1997 a. 248 ss. 39 to 47, 49 to 75, 84; 1999 a. 9; 2001 a. 56, 90, 109; 2005 a. 286, 288; 2011 a. 180, 252.

6 **SECTION 2.** 29.001 (36) of the statutes is amended to read:

rabbit, squirrel,

1 29.001 (36) "Game animals" includes a deer, moose, elk, bear, ~~rabbit,~~
2 ~~squirrels, woodchuck,~~ fox, and raccoon.

History: 1997 a. 248 ss. 39 to 47, 49 to 75, 84; 1999 a. 9; 2001 a. 56, 90, 109; 2005 a. 286, 288; 2011 a. 180, 252.

3 SECTION 3. 29.192 (6) of the statutes is created to read:

4 29.192 (6) The department shall establish an open season for hunting and
5 trapping woodchucks.

6 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0086/Mn

EHS:.....

Suc

- date -

To Michael Murphy:

This draft adds woodchucks to the definitions of "game animal" and "fur-bearing animal" in chapter 29, and requires DNR to establish an open season for hunting and trapping woodchucks. There is no minimum length for the open season, however, so it could be very short. Let me know if you would like to set a minimum length of time for the season.

Please feel free to contact me if you have any questions about this draft.

Elisabeth H. Shea
Legislative Attorney
Phone: (608) 266-5446
E-mail: elisabeth.shea@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0086/1dn
EHS:sac:rs

October 3, 2012

Michael Murphy:

This draft adds woodchucks to the definitions of "game animal" and "fur-bearing animal" in chapter 29, and requires DNR to establish an open season for hunting and trapping woodchucks. There is no minimum length for the open season, however, so it could be very short. Let me know if you would like to set a minimum length of time for the season.

Please feel free to contact me if you have any questions about this draft.

Elisabeth H. Shea
Legislative Attorney
Phone: (608) 266-5446
E-mail: elisabeth.shea@legis.wisconsin.gov

Shea, Elisabeth

From: andre.jacque@att.net

Sent: Saturday, December 15, 2012 11:51 PM

To: Shea, Elisabeth

Subject: LRB 086 specification

Hello Elisabeth,

Thanks for your help with drafting LRB 086 (RE: woodchucks). I checked with a few sportsmen and DNR officials in regard to your drafter's note, and would like to specify a season of March 1st to Dec 31 with no daily bag limit.

Thanks!

André

12/18/2012



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0086/2
EHS:sac:rs

RMR

In 12/18/12

2013 BILL

1 AN ACT *to amend* 29.001 (30) and 29.001 (36); and *to create* 29.192 (6) of the
2 statutes; **relating to:** requiring an open season for woodchucks.

Analysis by the Legislative Reference Bureau

INSERT A The Department of Natural Resources (DNR) currently, by rule, prohibits hunting and trapping woodchucks without DNR's authorization by designating the woodchuck as a "protected wild animal."

Under this bill, a woodchuck is defined as a "game animal" and as a "fur-bearing animal." Also under this bill, DNR is required to establish an open season for woodchucks. As a result, a person may hunt woodchucks under the authority of a small game hunting license and trap woodchucks under a trapping license.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 29.001 (30) of the statutes is amended to read:
4 29.001 (30) "Fur-bearing animals" includes otter, beaver, mink, muskrat,
5 woodchuck, marten, fisher, skunk, raccoon, fox, weasel, opossum, badger, wolf,
6 coyote, bobcat, cougar, and lynx.

BILL

1 **SECTION 2.** 29.001 (36) of the statutes is amended to read:

2 29.001 (36) "Game animals" includes deer, moose, elk, bear, ~~rabbits, squirrels,~~
3 rabbit, squirrel, woodchuck, fox, and raccoon.

4 **SECTION 3.** 29.192 (6) of the statutes is created to read:

5 29.192 (6) The department shall establish an open season for hunting and
6 trapping woodchucks, that begins on March 1 of each year and ends on

7 (END)

the following December 31. The department
may not impose a bag or possession limit
for this season.

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0086/2ins
EHS:sac:rs

INSERT A

The Department of Natural Resources (DNR) currently, by rule, prohibits hunting and trapping woodchucks without DNR's authorization by designating the woodchuck as a "protected wild animal."

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State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0086/03
EHS:sac:rs RMR

D-NOTE

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SECTION 2

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(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0086/3dn
EHS:sac:...

January 3, 2013

Representative Jacque:

I redrafted this to correct two small technical errors. Instead of crossing out the "s" in "animals" to make it singular in sections 29.001 (30) and (36), the entire word should have been crossed out and rewritten.

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Parisi, Lori

From: Julian, Jamie
Sent: Thursday, March 07, 2013 11:45 AM
To: LRB.Legal
Subject: Please Jacket: LRB -0086/3 Topic: authorizing the hunting of woodchucks under a small game license

Last one for today - Please Jacket LRB -0086/3 for the ASSEMBLY.

Thanks,

Jamie Julian
266-9870